

Notice of Allowability	Application No.	Applicant(s)	
	09/400,974	SATO ET AL.	
	Examiner	Art Unit	
	Lana N. Le	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/26/06
2. ☒ The allowed claim(s) is/are 1-48
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with applicant's representative, Robert Downes, on 8/31/06.
3. The application has been amended as follows:
 - in claim 15, line 9, before "said millimeter band", delete ---receiving----- and add ----arranged to simultaneously receive----, and after "wave", delete ---- simultaneously-----;
 - in claim 18, line 7, after "side lobe", add ---arranged to simultaneously receive said millimeter band signal from said transmitter-----.

REASON FOR ALLOWANCE

4. The examiner's amendment above is needed to place the application in condition for allowance.
5. The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, it is allowable for the reason as set forth in applicant's remarks in the appeal brief, page 14, line 1 - page 25, line 15.

Regarding independent claim 11, it is allowable for the reason as set forth in applicant's remarks in the appeal brief, page 25, line 16 – page 37, line 19.

Regarding independent claim 15, it is allowable for the reason as set forth in applicant's remarks in the appeal brief, page 38, lines 1-9 and page 14, line 1 - page 25, line 15.

Regarding independent claim 18, it is allowable for the reason as set forth in applicant's remarks in the appeal brief, page 38, line 10 – page 52, line 15.

Regarding dependent claims 12, 24, 27, 41-46, they are allowable as being dependent on the independent claims above and for the reason as set forth in applicant's remarks in the appeal brief, page 52, line 15 – page 61, line 4.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Bolin et al (US 2004/0,022,175), Method And Orthogonal Frequency Division Multiplexing Receiver for Reducing the Influence of Harmonic Interference On OFDM Transmission Systems

- Gutleber (US 4,301,530), Orthogonal Spread Spectrum Time Division Multiple Accessing Mobile Subscriber Access System

- Yokoi et al (US 4,257,048), Antenna System to Reduce Fading Caused By
Multipath Transmission

- Katz (US 6,393,303), Method and Apparatus for Directional Radio
Communication

- Otten (US 6,449,461) System for Mobile Communications in Coexistence with
Communication Systems Having Priority

- Chedester et al (US 6,611,696), Method And Apparatus for Aligning the
Antennas of a Millimeter Wave Communication Link Using a Narrow Band
Oscillator and a Power Detector.

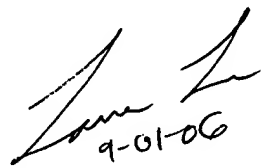
7. Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Lana N. Le whose telephone number is (571) 272-7891.
The examiner can normally be reached on M-F 9:30-18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Edward F. Urban can be reached on (571) 272-7899. The fax phone
number for the organization where this application or proceeding is assigned is 571-
273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lana Le


9-01-06
LANA LE
PRIMARY EXAMINER